

PRESENT

Mayor Pro Tem Lynn Bowers
Commissioner Kathy Carter
Commissioner Doug Howard
Commissioner Rodney Williams (4)

ABSENT

Mayor May (1)

The meeting was called to order by Mayor Pro Tem Bowers. The Rev. Sandra Murphree, First United Methodist Church, gave the invocation. John Hammond led the Pledge of Allegiance.

It was moved by Commissioner Williams, seconded by Commissioner Carter, that the Board dispense with the reading of the minutes of the May 19, 2008 Special Meeting; June 9, 2008 Work Session; and June 12, 2008 Work Session, and adopt the minutes as presented. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor Pro Tem Bowers reported that Mayor May was attending the U.S. Conference of Mayors conference in Miami, Florida.

Mayor Pro Tem Bowers recognized the following employees for recently receiving awards at the American Public Works Association "Rodeo" and The Solid Waste Association of North America Rodeo: Daniel Doss, John Jennings, Freddie White, Keith Meriwether, Trey Troxell, Douglas Taylor, Kevin Meriwether, and Daniel Kirk.

On a motion by Commissioner Williams and seconded by Commissioner Howard, and without objection, to advance New Business Agenda Items 9.1 and 9.2 for action. Following comments from Tourism Commission Executive Director Joy Jeffries, and discussion, It was moved by Commissioner Howard, seconded by Commissioner Carter, to authorize funding in the amount of \$5,000 to support the Riverfront Development Project sponsored by the Frankfort-Franklin County Tourist and Convention Commission. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

Following citizen comments from Ann Gibbs, It was moved by Commissioner Carter, seconded by Commissioner Howard, to authorize funding in the amount of \$5,000 to support the Frankfort-Franklin County Tourist and Convention Commission's efforts for the World Equestrian Games (WEG). The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

"AN ORDINANCE AMENDING ORDINANCE NO. 18, 2007 SERIES, AND FRANKFORT CODE OF ORDINANCES CHAPTER 37.32 PAY PLAN (SALARY ORDINANCE)" was presented and read. This Ordinance had its first reading on May 19, 2008. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 11, 2008 Series).

"AN ORDINANCE RELATING TO THE IMPOSITON AND ADMINISTRATION OF AN OCCUPATIONAL LICENSE REQUIREMENT AND PAYMENT OF AN OCCUPATIONAL LICENSE TAX BY PERSONS AND A NET PROFITS TAX ON BUSINESS ENTITIES OR PERSONS CONDUCTING BUSINESS OR ENGAGING IN BUSINESSES, OCCUPATIONS AND PROFESSIONS WITHIN THE CITY OF FRANKFORT" was presented and read. This Ordinance had its first reading on May 19, 2008. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 12, 2008 Series).

"AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2008-2009" was presented and read. This Ordinance had its first reading on May 19, 2008. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 13, 2008 Series).

Following the correction of a typographical error within the body of the Ordinance, "AN ORDINANCE ACCEPTING WEST RIDGE DRIVE AND VANDALAY LANE AS PUBLIC STREETS" was presented and read.

"AN ORDINANCE TO AMEND THE CITY OF FRANKFORT'S CODE OF ORDINANCES – CHAPTER 152 – BY AMENDING THE CITY OF FRANKFORT'S ZONING REGULATIONS - ORDINANCE NO. 8, 1983 SERIES, BY AMENDING ARTICLE 4, SECTIONS 4.24 CENTRAL BUSINESS DISTRICT; SECTION 4.40 SPECIAL HISTORIC DISTRICTS; SECTION 4.41 SPECIAL CAPITAL DISTRICT AND AMENDING ARTICLE 17 ARCHITECTURAL REVIEW BOARD OF THE CITY OF FRANKFORT'S ZONING ORDINANCE" was presented and read.

"AN ORDINANCE REZONING PROPERTY FOR A 29.08 ACRE PARCEL OF PROPERTY LOCATED AT 8000 JOHN DAVIS DRIVE, MORE SPECIFICALLY DESCRIBED AS PVA MAP #086-00-00-021.00, FROM RURAL TWO DWELLING DISTRICT (RD) TO RURAL LOW DENSITY MULTIFAMILY DISTRICT (RL) (COUNTY REGULATIONS)" was presented and read.

"AN ORDER TO INCREASE THE RATES FOR PARKING AT THE SULLIVAN PARKING GARAGE" was presented. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted (Order No. 8, 2008 Series)

The following miscellaneous and personnel items were presented:

- 6.1 Authorized the purchase of eleven (11) Police Pursuit Vehicles; purchase to be made under State Contract Master Agreement #C-04534210 at the contract price of \$20,092 each (for a total purchase price of \$221,012; units to be purchased from Country Side Motors, Lawrenceburg, KY; funding is available in the equipment Account No. 100.43.56550 in the amount of \$228,800 (Police Department);
- 6.2 Authorized bid award of a two-year contract with an option to extend for one year to Siegel's Corporation of Evansville, Indiana for police uniforms and accessories; funds budgeted in the amount of \$600.00 per officer per year in Account No.100.43.54340 (Police Department);
- 6.3 Authorized declaring two (2) Colt M-16A1 .223 caliber machine guns, serial numbers 9379389 and 9379232 as surplus property and obtain authorization to trade these two guns for 16 AR15 Doublestar DS4 .223 caliber patrol rifles; assessed value of the two machine guns is \$6,960.00 each, totaling \$13,920; the assessed value of the 16 rifles is \$870.00 each, also totaling \$13,920. The 16 rifles are to be used for patrol rapid deployment (Police Department);
- 6.4 Approved a sewer extension contract with CHN Developers, LLC, 135 Peaks Mill Road, Frankfort, Kentucky; extension to serve 75 lots, with improvements including 24 manholes, 4,495 feet of 8-inch SDR 35 pipe serving said lots; David Collins, Member, has signed the contract and the Division of Water has approved the sanitary sewer plans and specifications; final acceptance contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department);
- 6.5 Authorized contract award to Linebach Funkhouser, Inc. (LFI) for Health and Safety Training for Sewer personnel to remain in compliance with OSHA regulations; funding available in Account No. 300.68.56550 not to exceed \$22,000 (Sewer Department);
- 6.6 Authorized entering into a 3-year contract with ESRI for an Enterprise License Agreement for GIS software; the License Agreement is being jointly funded by the Sewer Department, E911 and the IT Department; annual cost to be split between the Departments with total cost of \$35,750; contract effective from July 1, 2008 through June 30, 2011; funds are available in Account No. 300.68.56551 for Sewer Account No. 590.00.51110 for E911, and Account No.100.25.56551 for IT (Sewer Department);

- 6.7 Authorized an engineering contract award to Jordan Jones and Goulding (JJG) for the Feasibility Study and Preliminary Engineering of the Two Creeks Project; contract not to exceed \$55,000; additional funding may be necessary upon completion for other services as required; funds are available in Sewer Account No. 450.68.56550 Capital Improvement Account (Sewer Department);
- 6.8 Approved the lowest bid of \$5,280 for demolition of 440 Holmes Street and to execute the Memorandum of Agreement with C. C. Moore; funds for nuisance abatement available in Account No. 100.70.53295 (Planning and Building Codes);
- 6.9 Authorized a bid award to Airgas-Mid America to provide liquid oxygen for the new ozone generating system; cost of \$0.39 per 100 cubic feet of liquid oxygen; July 2008 cost to be \$29,250; contract extension for remainder of Fiscal Year to be submitted for approval in July; annual cost of liquid oxygen estimate at \$250,000; funds available in Account No. 300.68.54335 (Sewer Department);
- 6.10 Authorized sewer extension contract with M & G Real Estate, LLC, 061 Four Mile Road, Richmond, Kentucky to serve 1 commercial lot with improvements, including 3 new manholes, 231 feet of 8-inch SDR pipe and 149 feet of Ductile pipe serving said lot; Steve Gates, Member, has signed the contract; the Division of Water has approved the sanitary sewer plans and specifications; Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department);
- 6.11 Authorized an agreement between the City of Frankfort and Central Parking System of Kentucky, Inc., regarding the management of the Sullivan Garage Parking Lot; contract eliminates reference to the Wapping Street Lot and the St. Clair Parking Garage (City Solicitor);
- 6.12 Authorized entering into a contract with Davey Resource Group to assist creating an Urban Forestry Management Plan and a Tree Ordinance Update for the city, and designated the Mayor to execute all contract documents; contract amount not to exceed \$8,000; total project cost is \$16,000, with \$8,000 provided through Urban Forestry grant; city to provide a \$5,000 cash match, available in the Cove Spring Account (#640), \$3,000 in and in-kind match (Parks and Recreation);
- 6.13 Approved paying the annual lease payment for the Street Sweeper out of the Contingency Fund Account; annual payment is \$22,400; funds available in Account No 100-95-53295 (Public Works and Finance).
- 6.14 Authorized the following personnel actions:
- Appointment of John M. Hall, effective 6-24-08, to position of Transit Driver (Transit)
 - Appointment of Eula Thomas, effective 7-1-08, to position of Transit Driver (Transit)
 - Appointment of Lora Daum, effective 7-1-08, to position of Transit Driver (Transit)
 - Appointment of Hollie T. Parker, effective 6-24-08, to position of Tech II (Streets)
 - Appointment of Christopher R. Brown, effective 7-1-08, to position of Staff Planner (Planning and Building Codes)
 - Promotion of Robert Smallwood, effective 6-24-08, to Fleet Maintenance Superintendent from Garage Foreman ((Garage)
 - Retirement of Jim K. Perkins, effective 5-31-08, and authorize payment of all accrued time as of effective date (Public Works)
 - Conditional offer of employment to Steven M. Shelton, contingent upon completion of physical, psychological, polygraph, and drug screen examination (Police)
 - Conditional offer of employment to Ted L. Magness, contingent upon completion of physical, psychological, polygraph, and drug screen examination (Police)
 - Conditional offer of employment to Arthur G. Chaney, contingent upon completion of physical, psychological, polygraph, and drug screen examination (Police).

It was moved by Commissioner Howard, seconded by Commissioner Carter, that the Consent Agenda be approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Williams, seconded by Commissioner Howard, to accept the Mayor's recommendation to reappoint David E. Jones to the Board of Zoning Adjustments for a four-year term ending 7-1-12. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Carter, seconded by Commissioner Howard, to accept the Mayor's recommendation to reappoint Sherron Jackson to the Frankfort-Franklin County Planning Commission for a four-year term ending 7-1-12. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

Following discussion, it was moved by Commissioner Williams, seconded by Commissioner Howard, to enter into a contract to proceed with the demolition of the main structure, and the log cabin at 311 W. Third Street, and leave the Carriage House standing. Contract to be awarded to River City Commercial at a total cost of \$22,600 (\$15,400 for the main building and \$1,600 for the log cabin). Funds available under Account No. 100.75.53265 (\$4,000) and Contingency Account No. 100.00.22061 (\$17,800). Discussion followed. Citizen comments were made by Chris Miller, Erick Burke and Roger Stapleton. Additional discussion followed. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

Without objection and at the request of Commissioner Williams, staff was instructed to board up and secure the Carriage House structure at 311 W. Third Street.

Following discussion, it was moved by Commissioner Howard, seconded by Commissioner Carter, to authorize funding in the amount of \$24,500 for the Office of Commonwealth Attorney to be used exclusively to continue controlled substances crime prosecution. Funds to be used from FY 2008-2009 Contingency Account No. 100.95.53295. Discussion followed. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

Following discussion, it was moved by Commissioner Howard, seconded by Commissioner Carter, to authorize a bid award to Cleary Construction, Inc. for the construction of the Schenkel Cave sewer replacement. Cost included base bid of \$4,705,950 and Additive Alternate #1 at \$121,800. Funds are available in Account No. 300.68.53295. Discussion followed. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Carter, seconded by Commissioner Williams, to accept the resignation of Joshua L. Clark with the Communications Department, effective 5-30-08, and authorize payment of all accrued time as of the effective date. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

Comments were made by Commissioner Carter concerning Frankfort publicity in Bluegrass Travel Host Magazine; Cove Spring Park's People's Choice award; and Frankfort's JC Penney store having the highest sales figures for the month of May of any JC Penney store in the United States. Commissioner Howard recognized Mayor May for the award he received from the Frankfort-Franklin County NAACP; and announced the birth of his son, Alexander, on June 2. Mayor Pro Tem Bowers reported on the Energy Team Update at the June work session, and announced the recycling report from Kentucky State University will be presented at the July work session.

It was moved by Commissioner Carter, seconded by Commissioner Howard, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Howard, and Williams, and Mayor Pro Tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted, and the meeting was adjourned at 6:47 p.m.

Mayor

Attest:

